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(Appearing Pro Hac Vice)

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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 SAN FRANCISCO DIVISION

9 UNITED STATES OF AMERICA,) CASE NO. CR 10-0642 CRB
10 Plaintiff,)
11 vs.)
12 Christopher Napoli, Daniel Johnson,)
13 Salvatore LaMorte, Steven Paul,)
14 Jeffrey Entel, a/k/a "Yeury Amarante")
15 "Jerry Amarante", Joseph Carozza,)
16 Jeffrey Herholz, Darrell Creque,)
Michael Arnold, a/k/a "Mike Johnston")
Diego Podolsky Paes, a/k/a "Juan Montes")
and Dino Antonioni,)
Defendants.)

**STIPULATION REGARDING
EXTENSION OF TIME FOR
DEFENDANT SALVATORE
LAMORTE TO POST PROPERTY
WITH CLERK IN SUPPORT OF
BOND**

17 On September 22, 2010, defendant Salvatore Lamort appeared before the Honorable
18 Magistrate Judge Zimmerman for arraignment, identification of counsel and issues regarding
19 bond. Mr. LaMorte resides in Freehold, New Jersey, in the District of New Jersey. The Court
20 released the defendant pursuant to an Order Setting Conditions of Release and Appearance Bond
21 ("Bond"), which required, among other conditions, that the defendant:
22

- 23 (1) Surrender his passport to the Clerk of the Court in the Northern District of
24 California on or before September 23, 2010. This condition was satisfied on
September 23, 2010.
25 (2) Arrange for family friends, James McLean, Jr. and Cleo Smith, to sign a Bond
26 posting property in New Jersey within the District of New Jersey on or before
27 October 7, 2010. It recently came to the attention of Mr. LaMorte that this
28 condition may not be currently satisfied by these sureties. As a result, Mr.
LaMorte has made considerable good faith efforts to obtain an appraisal of the

1 family home in order to secure the required \$250,000.00 as originally indicated in
2 the conditions of release. A two week extension of the October 7, 2010 deadline
3 would allow Mr. LaMorte the time necessary to finalize this process and
4 determine whether there is a necessity for a change of his conditions of release.

5 (3) Repatriate all funds in Starfish Ltd., account #: 10345735 ("Starfish") into an
6 Account in the United States of America and Government advised of the transfer.
7 Mr. LaMorte diligently reached out to overseas contacts within the last two weeks
8 in an effort to repatriate all Starfish funds but was only able to speak with the
9 person authorized to release said funds on October 7, 2010. The person
10 authorized to approve any transfer of the Starfish account was unavailable and
11 finally contacted Mr. LaMorte on the aforementioned date. Accordingly, a two
12 week extension would allow Mr. LaMorte the time to transfer said funds into an
13 account controlled by the United States of America. This procedure would
14 ensure that Mr. LaMorte would not diminish the balance in that account pending
15 transfer or after the funds arrive in the United States of America.

16
17 Counsel for Mr. LaMorte has spoken with Assistant United States Attorney Kirsten Ault,
18 Esq. and both counsel agree that an extension of time for the property postings to be completed is
19 appropriate given: (1) good faith efforts of Mr. LaMorte to comply with the Bond conditions and
20 secure alternate security under the deadlines currently existing, and (2) the principles of fairness
21 and justice.

22 Accordingly, with the agreement of the parties, and with the consent of the defendant, the
23 Court orders that an extension of time is granted from October 7, 2010 to October 21, 2010 for
24 the Defendant Mr. LaMorte to comply with the Bond condition that the property referenced
25 above be posted as security for the Bond.

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Dated: October 7, 2010

By: /s/ Victor A. Afanador

Victor A. Afanador

Attorney for Defendant, Salvatore Lamort

10/7/10

By:


Kirstin Ault

Assistant United States Attorney



IT IS SO ORDERED:

Dated: October 13, 2010

Joseph C. Spero for

PROOF OF SERVICE

I, Carla DaSilva, declare that I am over the age of eighteen years and not a party to this action. I am an employee of Lite DePalma Greenberg, LLC ("the Firm") and my business address is Two Gateway Center, Suite 1201, Newark, New Jersey 07102.

On October 7, 2010, I served the following document(s) in this cause:

**STIPULATION REGARDING EXTENSION OF TIME FOR DEFENDANT
SALVATORE LAMORT TO POST PROPERTY WITH CLERK IN SUPPORT OF
BOND**

I caused said document to be Electronically Filed and Served through the CourtLink system for the above-entitled case to those parties on the Service List maintained on CourtLink's Website for this case. The file transmission was reported as complete and a copy of the "JusticeLink Filing Receipt" page will be maintained with the original document in our office.

I declare under penalty and perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 7, 2010, in Newark, New Jersey.

/s/ Carla DaSilva

Carla DaSilva